

Get ready to roll up your sleeves

Public Health Service (PHS) is in the process of issuing final recommendations for use of vaccines to inoculate the public against swine flu. According to PHS, there will be 2 types of vaccinations administered, one to a particularly high risk group & the other to the general public.

The high risk group, consisting of persons over 65 with heart disease, asthma, kidney problems, diabetes & other chronic diseases, will receive what PHS calls a "bivalent" vaccine. It is intended to protect against both swine flu & the "A-Victoria" strain of flu that was present in the U.S. last winter. Plans are for the "bivalent" vaccine to be administered beginning in late August or early September. However, PHS warns that people with allergies to eggs should not receive this vaccine unless under a doctor's supervision.

According to PHS, the rest of the population will be vaccinated for swine flu only. Times & places for vaccinations will be determined largely on a state & local basis.

Because the swine flu program will be one of the largest immunization efforts in U.S. history, PHS says that volunteers will be needed to do a number of tasks, from helping to give shots to providing babysitting & chauffeuring services. If you think you can help or want more information, contact your local health department.

Quarantines lifted

For the first time since March, all hog cholera quarantines have been lifted from the New England area. Hog cholera—which is not dangerous to humans or other animals—is highly infectious among swine. It was first found in New England earlier this year & in New Hampshire on April 28 (CONSUMER NEWS: May 1). **Agriculture Dept.** says surveillance of the former outbreak areas will continue for some time to be sure the disease is completely abated.

Recalls

PALM HEARTS—Food & Drug Administration (FDA) announces recall of more than 216,000 cans of palm hearts imported from Brazil because the product may be improperly canned. Distributed nationwide & in Puerto Rico, the palm hearts were marketed under the brand name of Roland Brand Hearts of Palm & were manufactured by Fabrica de Conservas Alimenticias & Industria Comercio de Conservas, Sao Paulo, Brazil & Palmitos do Norte Ltd., Para, Brazil. FDA said the product is being recalled because improper canning could cause the growth of bacteria in the cans.

consumer news

DEPARTMENT OF HEALTH, EDUCATION & WELFARE
Office of Consumer Affairs
Virginia H. Knauer, Director

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Guide lists settlement rights

For most consumers, buying a home is an extremely expensive & complicated process, often full of mystery about the number of costs involved.

To help prospective home buyers better understand this process, **Housing & Urban Development Dept.** (HUD) has just published a new guide on closing costs as part of its mandate under the Real Estate Settlement & Procedures Act (RESPA). Although RESPA itself has been greatly reduced in its scope since it was enacted in 1974 (CONSUMER REGISTER: April 15, 1976, CONSUMER NEWS & REGISTER: Aug. 1, 1975), its intent to alert consumers to their rights at settlement & the remedies available to protect them is being carried out through the dissemination of this new HUD guide.

The guide lists these rights that you, as a consumer, are entitled to when buying a home:

- When you submit or the mortgage lender prepares your written application for a loan, the lender is legally required to give you a copy of the HUD guide.
- When you file your loan application, the lender must also give you a "good faith" estimate of settlement charges you are likely to incur. The estimate may be stated in either a dollar amount or as a range for each charge.
- Where the lender designates specific companies to provide legal & title examination services, title insurance or to conduct the settlement, the lender must give you as part of the "good faith" estimate: (1) the name, address & telephone number of each designated firm & a statement of the specific services it will provide & (2) a statement of whether each designated firm has a business relationship with the lender.
- By the time of loan consummation, the lender is required to provide you a Truth-in-Lending statement which discloses the annual percentage rate or effective interest which you will pay on your mortgage loan.

The Guide also points out these protections which RESPA gives you against unfair practices:

- RESPA prohibits anyone from giving or taking a kickback involved with a settlement.
- Under the law, the seller may not require as a condition of sale that you buy title insurance from a particular company.
- If you have a complaint against a mortgage lender, settlement agent, etc., that you cannot resolve, you can sue under RESPA for damages.

For more information about your rights at closing, you may want to read HUD's guide which, besides explaining the settlement process, also has sample forms & worksheets to help you in making cost comparisons. The guide was published in the June 10, 1976 *Federal Register* (Vol. 41, No. 13) which is available in many public & university libraries. You can also purchase *Settlement Costs: A HUD Guide* by writing to Superintendent of Documents, Government Printing Office, Washington, DC 20402. In addition, you may want to order *Closing Costs (163D)* which is available free from Consumer Information Center, Pueblo, CO 81009.

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Below is an index to CONSUMER NEWS & its supplements CONSUMER REGISTER & RATE REGISTER for the issues published Jan. 1, 1976, through June 15, 1976.

Date & page of the newsletter are given after each subject. "Fair trade Feb. 1:2" means an item about fair trade appeared on page 2 of the Feb. 1 issue of CONSUMER NEWS. Subjects that appeared in the CONSUMER REGISTER or the RATE REGISTER are designated by "CR" or "RR" before date & page number. "CR May 1:1" means page 1 of May 1 issue of CONSUMER REGISTER. "RR Jun 15:2" means page 2 of June 15 issue of RATE REGISTER.

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Warning!

If you own a boat & plan to use it at night, Coast Guard warns that navigation lights are essential for safety. Under ordinary conditions, these lights tell boatmen the kind of boat (sail, power, tugboat, anchored) as well as each other's size, speed & course. However, Coast Guard has found that not all boats come equipped with navigational lights & sometimes those with lights contain equipment that does not meet Federal or international specifications.

To protect the boating public, Coast Guard has therefore developed a policy requiring manufacturers to inform consumers if the navigational lights on their boats do not meet Federal specifications. Under Coast Guard's policy, then, if a consumer buys a boat under the assumption that the lights (as well as other equipment) meet Federal requirements & the lights do not, the Coast Guard can make the manufacturer recall the boats and correct the lighting deficiencies.

What to do: If you already own a boat, contact your dealer to make sure that your navigational lights pass Federal or international standards. If you are thinking of buying a boat, ask the dealer to verify, in writing, that the lights comply with Coast Guard standards.

For more information about navigational lights, contact the Office of Boating Safety, Coast Guard, Washington, DC 20590.

Supreme Court says

The Supreme Court recently handed down these decisions of interest to consumers:

- Upheld the authority of the President of the United States to impose fees on imported oil as a way to affect the supply. The fees were challenged by a number of states & utility companies which argued that the President can only impose direct controls, such as quotas, rather than fees. The Supreme Court, however, ruled that the President has authority under a law which provides that if the **Treasury Dept.** Secretary determines that an item is being imported in such quantities or under such conditions as to threaten the nation's security, the President can take "such action as he deems necessary" to correct the situation. (FEA vs Algonquin SNG, Inc., et al; #75-382)

- Ruled that **Interstate Commerce Commission** (ICC) can specify how railroads must spend a rate increase as an alternative to the lengthy process of rate hearings. Under ICC procedures, the Commission can suspend proposed rate hikes for up to 7 months while it holds hearings on them. However, when in 1974 almost all the nation's railroads sought a rate increase on the grounds that they needed billions of dollars for plant improvement & maintenance, ICC tried to avoid the hearings by issuing an order that would make sure that the added revenue would be spent on such improvements as track maintenance & the purchase of new cars. One of the companies—the Chesapeake & Ohio Railroad—challenged the ICC's authority to issue such an order but the court ruled that the order was ". . . directly related to (ICC's) mandate to assess the reasonableness of . . . rates . . ." (U.S. vs Chesapeake and Ohio RR; #75-420)

- Sent a test case on the advertising of prescription eyeglasses back to a Federal Court in Los Angeles so that it can be tried again in light of the Supreme Court's recent decision on prescription drug advertising (CONSUMER NEWS: June 15). The lower court has ruled that the optometry profession's Ethical Code, which prohibits advertising in California, was invalid. However, since that ruling, the Supreme Court found it unconstitutional for states to forbid the advertising of prescription drugs & the high court wants the California case reviewed to determine if eyeglasses—like prescription drugs—are homogeneous products which can be advertised on the basis of price. (Board of Optometry of California vs California Citizens Action Group; #75-1539)

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